



EPA REGION 3 BROWNFIELDS ASSESSMENT GRANT PROPERTY APPROVAL QUESTIONNAIRE FOR HAZARDOUS SITES

Grant Recipient: Brooke-Hancock-Jefferson Metropolitan Planning Commission

Grant Number: BF- 96378801

Date Form Completed: 4/4/2023

A. PROPERTY DESCRIPTION

1. Property Name: Weirton Frontier Crossings – Form Energy Site
2. Property Address: N. Main Street, Weirton, WV 26062
3. Acres (if known): Approximate 54.37 Acres
4. Is the site a brownfield, “real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant”? ☒ Yes ☐ No
5. Describe the property’s operational history and current use(s).
Steelmaking operations began at the site in 1909 and the facility expanded to a fully integrated steel mill. The former owner, Weirton Steel Corporation (WSC), was issued an Administrative Order on Corrective Action in 1996 under Section 3008h of the Resource Conservation and Recovery Act (Docket No. RCRA-3-0033CA) for the entire facility, which totaled approximately 1390 acres. WSC and subsequent owners (most recently ArcelorMittal) have implemented the RCRA Corrective Action program since that time. The current owner, Mingo Junction Steel Works (MJSW, a subsidiary of the Frontier Group of Companies), purchased approximately 1100 from ArcelorMittal in January 2017. MJSW and ArcelorMittal bifurcated the RCRA Corrective Action Order and executed separate Administrative Orders on March 13, 2018. MJSW is now responsible for implementing the RCRA Corrective Action program on their 1100 acres. The subject 54.37 acres is a subset of a 270-acre tract that corresponds to Corrective Action Areas VIM and VIIM shown on Figure A-1 of the bifurcated Administrative Order.

Former manufacturing operations on the 270-acre property included steel and iron-making, support operations such as power and steam generation, waste-water and chemical treatment facilities, a Basic Oxygen Furnace, a Continuous Slab Caster, Blast Furnace operations, a Sinter Plant, ore storage yard, and Open-Hearth Furnaces. The International Steel Group (ISG) (2003-05) and Arcelor Mittal Steel (2005-2020) shut down those operations between 2003 and 2011.

The property is inactive and ready for redevelopment. The

6. Identify when and how the property potentially became contaminated.
Historical steel-making operations may have released contaminants into the environment.
7. What kind of contamination is suspected?
Volatile Organic Compounds (VOCs), Semi-volatile Organic Compounds (SVOCs) and Metals related to previous manufacturing activities.
8. Work to be done:
☒ **Phase I** ☐ **Phase II** ☐ **Phase III**
☐ **Other:**
What is the estimated cost of the assessments? **\$6,500.00**

B. REUSE POTENTIAL

1. Are there firm development plans for the property? ☒ Yes ☐ No Please describe.
December 22, 2022 West Virginia Governor Jim Justice announced Form Energy chose Weirton, WV to construct its first commercial-scale manufacturing facility in Weirton, West Virginia on this 55-acre site. The state and company will invest up to \$760 million to manufacture iron-air batteries.
2. Is the property an integral part of a local development plan? ☒ Yes ☐ No
The subject 55-acre property is the first parcel within the 270-acre Former Iron- Steel-Making Area identified in the Weirton Area Reuse Plan that MJSW plans to sell for re-development.
3. Does the property have strong development potential as evidenced by past or present interest of a developer? ☒ Yes ☐ No
Form Energy anticipates starting construction September 2023, with production slated to begin in 2024, creating at least 750 full-time jobs.
4. Is there a commitment in place to fund the cleanup? ☒ **Yes** ☐ **No**
If not, what are some potential sources of cleanup funding that can be used?
The 55-acre site is a subset of a 270-acre site that the current owner Frontier Group of Cos.; Mingo Junction Steel Works entered the site into the WV VRP April 15, 2020 as Project #20015. The WV DEP issued a COC June 2, 2022. Work crews employed by the owner has completed abatement, demolition, and clean-up of all structures on site.
5. Is the property located in a federal opportunity zone? Please check the map of opportunity zones: ☐ **Yes** ☒ **No**
NMTC Public Viewer: **USA Opportunity Zones tool**

C. PROPERTY OWNERSHIP

1. Who currently owns the property?
Mingo Junction Steel Works
500 Seneca Street Suite 504
Buffalo, NY 14204

If you own the property, please respond to questions a through f below:

- a. How was the property acquired?
☐ **Tax Foreclosure** ☐ **Donation** ☐ **Eminent Domain** ☐ **Bought it outright**
☐ **Other (explain below)**
 - b. When was the property acquired? Date: [Click here to enter a date.](#)
 - c. Did you conduct All Appropriate Inquiry or an equivalent Phase I assessment prior to the purchase? ☐ **Yes** ☐ **No**
When/Date:
Who performed the All-Appropriate Inquiry?
 - d. Describe your organization's relationship with all prior owners of the property and any familial, contractual, corporate, or financial relationships or affiliations that your organization may have had with the current or past owners or operators of the property.
No relationship as such with prior property owners.
 - e. Did disposal of any hazardous substances occur after you acquired the property?
☐ **Yes** ☐ **No**
 - f. Describe what you are doing to provide appropriate care to address hazardous substances that may be on the property.
2. Was your organization ever an owner, operator or lessee of the property? ☐ **Yes** ☒ **No**
 3. Did your organization cause, contribute or arrange for the disposal of or releases of hazardous substances at the property in any way? ☐ **Yes** ☒ **No**
 4. Describe the current owner's role in the assessment and cleanup of the property.
Work crews employed by the owner have completed abatement, demolition, and clean-up of all structures on site.
 5. Will the current owner allow access to the property to conduct the assessments? ☒ **Yes** ☐ **No**

D. SITES NOT ELIGIBLE FOR FUNDING

1. Is the property listed (proposed for listing) on the CERCLA (Superfund) National Priorities List? ☐ **Yes** ☒ **No**
2. Is the property subject to a unilateral administrative order, court order, administrative order on consent, or judicial consent decree issued to or entered into by parties under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)?
☐ **Yes** ☒ **No**
3. Is the property subject to the jurisdiction, custody, or control of the U.S. government?
☐ **Yes** ☒ **No**

*Note: If the answer is YES to any part of the above (D.1 – 3), the property is **not** eligible.*

E. PARTICULAR CLASSES OF SITES ELIGIBLE FOR BROWNFIELDS FUNDING ONLY WITH PROPERTY-SPECIFIC DETERMINATIONS

Certain properties cannot be approved without a “Property-Specific Determination.” Please answer the following questions to the best of your knowledge:

1. Is the property subject to a planned or ongoing CERCLA removal action? ☐ Yes ☒ No
2. Has the property been the subject of a unilateral administrative order, court order, an administrative order on consent, or judicial consent decree, *or been issued a permit* by the U.S. or an authorized state under CERCLA, the Solid Waste Disposal Act (as amended by the Resource Conservation and Recovery Act (RCRA)), the Federal Water Pollution Control Act (FWPCA), the Toxic Substances Control Act (TSCA), or the Safe Drinking Water Act (SWDA)? ☐ Yes ☒ No
3. Is the property subject to corrective action orders under RCRA (sections 3004(u) or 3008(h)) and has there been a corrective action permit or order issued or modified to require corrective measures? ☒ Yes ☐ No
4. Is the property a land disposal unit that has filed a RCRA closure notification under subtitle C of RCRA and is subject to closure requirements specified in a closure plan or permit? ☐ Yes ☒ No
5. Has the property had a release of polychlorinated biphenyls (PCBs) and is subject to remediation under TSCA? ☐ Yes ☒ No
6. Has the property received funding for remediation from the Leaking Underground Storage Tank (LUST) Trust Fund? ☐ Yes ☒ No

*Note: If the answer is YES to any of the above (E. 1-6), a property-specific determination is required. EPA’s approval of Property-Specific Determinations will be based on whether or not awarding a grant will protect human health and the environment and either promote economic development or enable the property to be used for parks, greenways, and similar recreational or nonprofit purposes. **Please contact your EPA Project Officer for additional information.***

APPROVALS (EPA STAFF ONLY)

If required,

Date of enforcement screen:

Date and Name of EPA Attorney Consultation _____

Site eligible for grant funding for site assessment activities: ☐ **Yes** ☐ **No**

Project Officer

Date

Site ID Number Assigned: _____